

Subject Child care provider licensing, training, and staffing requirements

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Overview

The DE5-2 includes provisions that modify training requirements for child care centers, family child care license holders, and individuals who supervise or assist in caring for children. These provisions are in sections three and four of the DE5-2, and many of these provisions are designed to bring the state into compliance with federal law related to child care provider licensing.

The DE5-2 also includes provisions that: (1) specify the definition of “annual” for family child care training requirements (section one); (2) modify the rules governing who is allowed to supervise a family child care license holder’s own child in a licensed setting (section two); and (3) direct the commissioner of human services to determine whether family child care licenses should automatically renew instead of requiring licenses holders to reapply for licensure (section five).

Summary

Section	Description
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| 1 | <p>Annual or annually; family child care training requirements.</p> <p>Amends § 245A.02, subdivision 2c. Applies the subdivision’s definition of “annual” and “annually” to all of section 245A.50, relating to family child care training requirements, and to section 245A.53, relating to substitute caregivers and replacements in family child care settings.</p> |
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The section is effective September 30, 2020.

Section	Description
2	<p data-bbox="318 264 1084 296">Supervision of family child care license holder’s own child.</p> <p data-bbox="318 310 1422 537">Amends § 245A.149. Adds that a family child care license holder must give consent in order for an individual who is exempt from specified training and supervision requirements to be allowed to supervise the license holder’s child in the licensed space. Expands who may supervise a license holder’s child in a licensed space to include: (1) an individual related to the license holder’s child; or (2) a household member who the license holder has reported to a county agency.</p> <p data-bbox="318 575 889 604">The section is effective September 30, 2020.</p>
3	<p data-bbox="318 653 451 684">In-service.</p> <p data-bbox="318 699 1406 768">Amends § 245A.40, subdivision 7. Changes the in-service training requirements that substitutes and unsupervised volunteers at child care centers must complete.</p> <p data-bbox="318 806 1000 835">The section is effective the day following enactment.</p>
4	<p data-bbox="318 884 841 915">Family child care training requirements.</p> <p data-bbox="367 930 1422 1113">Subd. 1. Initial training. Adds a requirement for family child care license holders to train adult caregivers and substitutes on emergency preparedness and allergy prevention and response before the adult caregivers and substitutes care for children. Modifies the current law application of the training requirements in the subdivision to apply to “adult caregivers” rather than “caregivers.”</p> <p data-bbox="367 1150 1377 1297">Subd. 1a. Definitions and general provisions. Adds a new subdivision that defines terms for the entire section and identifies training courses that do not fulfil the requirements of the section. The following terms are defined: “adult caregiver,” “helper,” and “substitute.”</p> <p data-bbox="367 1335 1393 1640">Subd. 2. Child development and learning and behavior guidance training. Identifies the courses license holders and adult caregivers can take to meet the current law requirements for initial and ongoing training in child development and learning and behavior guidance. Provides that individual who have taken specified coursework must meet requirements for ongoing training in child development and learning and behavior guidance. Under current law, these individuals are exempt from complying with initial and ongoing training requirements in this area.</p> <p data-bbox="367 1682 1422 1866">Subd. 3. First aid. Modifies current law first aid requirements by requiring license holders, adult caregivers, and substitutes to complete pediatric first aid training before licensure or caring for children and at least every two years thereafter. Under current law, at least one staff person trained in first aid must be present in a licensed space, that person must repeat first aid training every two years, and</p>

Section	Description
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substitute caregivers who provide less than 30 hours of care during any 12 month period are exempt from first aid training requirements.

Subd. 4. Cardiopulmonary resuscitation. Modifies current law CPR requirements by requiring license holders, adult caregivers, and substitutes to complete pediatric CPR training before licensure or caring for children and at least every two years thereafter. Under current law, at least one staff person trained in CPR must be present in a licensed space, that person must repeat CPR training every two years, and substitute caregivers who provide less than 30 hours of care during any 12 month period are exempt from CPR training requirements.

Subd. 5. Sudden unexpected infant death and abusive head trauma training. Specifies that license holders, adult caregivers, substitutes, and helpers must all receive the current law training about reducing sudden unexpected infant death and the risk of abusive head trauma before caring for infants or children under school age.

Subd. 6. Child passenger restraint systems; training requirement. Specifies that a license holder must ensure that any adult caregiver, substitute, or helper who places a child under age nine in a passenger restraint has successfully completed the training required under current law.

Subd. 7. Training requirements for family and group family child care. Applies the requirement for license holders to complete 16 hours of ongoing training each year to adult caregivers, as well.

Subd. 9. Supervising for safety; training requirement. Requires that substitutes, before caring for a child and at least every three years thereafter, complete the four-hour Basics of Licensed Family Child Care for Substitutes course. Identifies the health and safety topics that must be covered in courses required under the subdivision.

The section is effective September 30, 2020.

5 Direction to the commissioner; evaluation of continuous licenses.

Directs the commissioner of human services, by January 1, 2021, to consult with family child care license holders and county agencies to determine whether family child care licenses should automatically renew instead of requiring license holders to reapply for licensure. If the commissioner determines that licenses should automatically renew, the commissioner must propose legislation for automatic renewal for the 2021 legislative session.

The section is effective the day following enactment.



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